



Libby Area Technical Assistance Group, Inc.
P.O. Box 53, Libby, MT 59923
February 10, 2004 Meeting Notes

(Note bold items within paragraphs are action items agreed upon.)

I. Call to Order (7 PM)

II. Introductions of those who signed in:

Bob Beagle	Jerry Hersman	George Keck
Charlene Leckrone	Clinton Maynard	Red Morton
Mary Tevebaugh	Sandy Wagner	Barb Guthneck
Gordon Sullivan	Scott Supernaugh	Wendy Thomi
Dale Voldehnal	Jim Christiansen	Cathie Sullivan

George announced that Rita Windom was in Helena and unable to attend.

III. Review and Approval of January 6, 2004 minutes – Bob Beagle made a motion to approve the minutes with two name spelling corrections, Charlene seconded and it passed unanimous.

IV. Next Board Meeting was set for March 9, 7:00 PM in the Lincoln County Annex

V. Old Business

A. Financial Review – (Barb Guthneck)

Cash Flow – Barb went over and showed it included a new balance of allotted to spent amount.

20% In-Kind/Max Admin Constraints – Barb showed that we have way above the 20% in-kind and on Admin we are below the 20% as required.

Planned vs. Actual Expenditure – Barb showed the straight line as projected and the line that has crossed it as the actual expenditures. Clinton wanted to clarify that the projected was based on nothing more than x amount of dollars in x amount of time. He said it was not based on the reality of what is actually going on. George agreed, noting that the straight line “planned” projection for 3 year grant current funding was shown for comparison with “actuals” to identify expenditure control and/or anticipate additional funding need.

B. T/A Effort Review – (Jerry Hersman)

Prior and Current Month – Jerry said the Tech Advisor in January spent time with the EPA team, including Aubrey, that came to town last week.

Scientist Utilization – Jerry expressed concern about liability. Gordon said if we empanel experts, they will advise us if they can’t get into certain areas because of liability concerns. Gordon said in talking to Aubrey, he was convinced that LATAG will need to get scientific help with review of the Risk Assessment. He said we must involve CARD. He said we must also involve Brad Black with the risk assessment

process in building a community identity.

CAG Info/Education – Covered under Technical Advisor's update.

C. Tiger Team Reviews

Education – (Sandy Wagner) - Sandy said the EPA video would be ready for preview shortly and the new EPA Web Site would be up and running soon. Wendy added she has prepared a brief fact sheet with average cost and numbers of houses cleaned.

Survey – (Mary Tevebaugh) – Negative report. Mary had just received the surveys and will be prepared to summarize them at the March meeting.

Home Owner Issues – (Rick Flescher & Red Morton) – Red reported there were no home owner issues this Tiger Team was dealing with at present.

Document Review – (Clinton, Red, Jerry, Mary) – Jerry said they had a meeting at Gordon's house to review documents. He said there were not too many problems identified with the documents. He said Clinton was hammering out some of the minor issues they identified. Clinton recommended that Gordon do the same work (report) on these documents as he is doing with the EPA work plan. Jerry agreed to open up time allocation on this for Gordon. George asked that they develop a completion schedule with Gordon for these documents, prioritizing the order of review for tracking purposes. Clinton asked that Gordon be given full latitude. George asked Gordon how much he could take on this month. Gordon said the Technical committee and he could work this out. Gordon asked that the document review Tiger Team meet once a week. The next meeting was set to be at the Rocky Mountain Music Store. He said he will ask the Document Review tiger team what type of report they want. George asked Gordon to provide a schedule for his resultant effort as he was the best judge of what he can get done and when.

D. Liaison Reviews

City – (Charlene Leckrone) – No report

County – (Rita Windom) – Not present to report

CARD – (Gayla Benefield) – No report

E. Advocacy Liability/Risk – (Sandy Wagner) - Barb reminded Board Members to provide for any insurance cost anticipated over that currently budgeted. There was discussion about the D&O insurance and whether \$1 million was sufficient considering what TAG is doing. Wendy said the TAG was not in a position to give advice. Wendy said TAG was only to help people to understand complex matters. Wendy said this is frankly the first TAG group that has been so concerned with liability. She said she's not saying to not be concerned about this. She said you have two goals, 1) to involve the community through education and outreach and 2) help them understand

complex matters. Jim offered to ask the EPA's Matt (or another attorney) in Denver to advise TAG regarding liability. Jim said EPA's attorneys can advise us whether and if we can get sued. He said he will try to arrange for one of them to come or be on a phone con for the next meeting. Jim stressed that the TAG doesn't make any decisions, that EPA makes all the decisions. Jerry brought up that even advising a homeowner we could get sued. Gordon said he wanted to establish strict guidelines that no one pursuing efforts on behalf of TAG should exceed. He wanted those guidelines approved by EPA. George mentioned that he understood there were two parties ready to sue EPA. He foresaw the possibility they would mention everyone down the line in any suit. Gordon said two parties advised him they were at the last step before initiating suit. Gordon said what he did was listen. He said he told them he was not there to make decisions but only to advocate for what they needed. Jerry said that he officially suspended Gordon from any further advocacy effort until notified. Jim said there are hundreds of TAG's. He said TAGS give opinions. He said he didn't see where there was any eligibility for a law suit. Jim repeated what Wendy said which was that every decision could result in a law suit but it will never happen. Jerry reminded them that the exposure level in Libby could result in death. George added that there are an abundance of law suits generated and ongoing in the community that to give credence to our concern. Gordon additionally put forward that everything we do including interpretation of documents could be basis for suits.

Jerry said that Gordon's principle time was spent reviewing the work plan and now he is going to have Gordon addressing the written report. Gordon said he would have it completed by the third week in February.

Sandy advised the board that insurance costs are sky rocketing and she was unable to give an estimate of what our insurance bill would be in the future. She said that there are people on the insurance company's staff who look at non-profits as to their liability in instances such as this and provide guidelines. Sandy said that they could possibly tell whether issues of this type are defendable. George concluded with lets go to Matt (EPA legal) as a first step and in turn to Sandy (Insurance Co. legal) if needed for advice.

F. Board Member Term Renewal – March is the month when Board Members decide if they want to continue as board members for another term. George stated that he would not be renewing his board membership after the March meeting. He noted that Bob Zimmerman had advised him he would not seek another term as well. Sandy said she would not be continuing. Jerry, Bob Beagle and Charlene said they would not be continuing either. Mary said she would not continue as the Secretary Treasurer but would continue as a board member for now. There was discussion that the county attorney had advised Rita Windom that she could not continue on the board either. This then would leave Mary, Red, Rick and Clinton continuing on for another term in March. There was brainstorming of who could be recruited to apply for open Board Membership. Gayla Benefield, Mike Noble, Jon Reny, Mel Parker and Kirby Maki (for a school faculty person) were mentioned as those who expressed a desire and to now approach.

Mary said as we reorganize the board we need to look at how we will select new members, not just hand pick members. She requested a description of the requirements for position on the board be written.

Sandy said to look for the expertise you need in new members and their commitment to do the job, and then collectively decide on new Board members.

George added that to date there had been no response to the EPA's Q&A request for new board members.

Gordon said that those stepping up must realize the time requirements of a Board position. He suggested 2 hours a week was needed as a commitment. He suggested that a restructuring plan together with requirements for TAG membership be submitted to EPA for approval. Jerry suggested it's more realistic to advise people they need to be willing to give 10 hours a week.

Mary said she will not be a part of just putting people on the board without some selection process. George added we have just listed those who have a desire to be on the board, and board membership is treated in TAG grant management manuals providing the tools to enable suitable selection.

Barb said corporate by-laws require a minimum of 5 board members. As of the March meeting the number at this point appears to be 4 assuming Rita is not continuing. Barb wanted to let those seeking to be board members (especially those eventually to be executive board) be prepared to give lots of hours based on the numerous hours George donates.

Jim said that with the number not continuing, someone must be willing to step up and take charge, that EPA won't do it for us. He wanted to let the board know how much George has put in to get to this point. He said you need someone with that kind of talent and time devotion over the next month to do this.

Wendy said she would be a resource on how to recruit new board members. She could let the public know there are openings on the board.

G. Policy & Procedure Revisions – George said there were still two people who had not signed the Board Member Code of Conduct, Rights and Responsibilities. He reminded everyone that a decision to waive that requirement for existing Board members was agreed upon at the last meeting but since there were insufficient board members to vote, the matter was held until this meeting for final voting. He said that prospective board members would be required to sign (with exceptions noted and approved) prior to being accepted for board membership. **Clinton said he would again look over the Board Member Code of Conduct, Rights and Responsibilities document and decide by Monday what he would take exception to.** He said he has a liability concern. He wanted to know what items were required by the government. Clinton said he would sign the first page but the second page, he had

concerns about. He said he would write out what concerns he had with the second page. **Gordon offered to go over with it with him on Monday and explain it to him, eliminate the language he didn't agree with and have him sign it and submit it. Clinton agreed to do this.**

The other matter covered was that board members were expected to attend 75% of board meetings unless excused.

Board unanimously approved these changes as final.

H. Exec. Board Resolution for Leavitt, approval ratification - Bob Beagle made a motion and Clinton seconded that LATAG sign the Leavitt resolution. It passed unanimously.

I. Action Item Status Review - Items remaining on Action Item list were covered in this meeting under education tiger team and updated as completed or to be completed before the next meeting. Other items such as O&M are much further out.

VI. New Business

A. Mt. Dept of Environmental Quality Update – (Craig French) No report. Craig will go to Denver with Brad, Ron Anderson and Gordon. Gordon asked those going to agree to 3 to 4 study sessions before going. He said this could be done telephonically if Craig was unable to come to Libby for them.

B. EPA Update – (Jim Christiansen) – Jim spoke to the wage issue. He said he didn't plan it that way and was trying to fix the problem. Dale was asked if the amount of time that Jim spends in Libby is normal or below that expended at other sites. Dale said it was way above average. It was decided to get the word out that Jim was here more than most program managers are on site so people don't think he is shorting our community.

C. Technical Advisor's Update – (Gordon Sullivan) – Gordon asked for clarification of whether he could donate in-kind time to the TAG effort. He was advised by Barb and Jerry that he could. Jerry said it was covered in Gordon's contract. Gordon said that he puts in a lot of volunteer time for CARD and CAG and wanted to know if he could donate it as in-kind for LATAG. He was told yes.

Gordon said that the EPA people, including Aubrey are in Libby on the 28th. Gordon said that he is pulling back on advocacy until the liability issues are figured out. Gordon said if he goes forward with advocacy in the future it would be with identified boundaries. He said that he submitted invoices for his January time and the advocacy time he had spent to date.

Gordon said nothing in the three documents he reviewed was earth shaking. He felt he could empanel the Contractors and EPA and not involve the public. He said he did not

want to hold a huge public debate whether the work plan has merits or not. He said basically it was health and safety issues, testing criteria, and chain of command issues that need to be clarified. He said he will work up and define the issues. He said he will make a report to TAG but not to the public until after he gets some answers, then he will report to the public.

Jerry stated that education was paramount. He asked that Gordon resume the education sessions at the college, then proceed with a town meeting. Gordon said the town meeting would be the last leg. He said he felt that he should work first with a TAG committee, CDM, contractors, EPA, and then go to the public.

Jerry said that the Risk Assessment was the TAG's biggest challenge and that he thought Gordon will need outside help with the highly technical matters involved.

Gordon said that he has talked to Dr. Black and Aubrey and Risk Assessment input won't be finalized until 2005. Gordon said we must rely on our partners the EPA, Contractors and CARD. He felt we should build community identity and can't let the community think they need to be making major decisions on Risk Assessment until all the facts come together. Gordon said we are not mandated to speak for the community and he felt he should work things out with CDM at this point. Gordon said he thinks the public expects us to make the decisions about the EPA documents. He said he feels TAG is empanelled to do this. He said the town meeting is the last leg on this journey. He said we need to work issues out with the contractors and the EPA, and then go to the public. He said he didn't want a bunch of people to hang their hat on one issue. Gordon wanted to work some things out with CDM before he goes to the public and gets all the hype over single issues. He said the community doesn't need to know the small issues. He said we can expect some flack over decisions made on this work plan. He said most of the people know there is a work plan but TAG is the group empanelled to make these decisions.

Mary read the LATAG objectives from the By Laws saying we are to involve individuals, organizations and the public in order to enhance citizen understanding of and involvement in the overall site condition and activities of the superfund cleanup. Mary said we need to be educating the community. Bob said we don't have the right to be making these decisions, we are self appointed. George confirmed that we should not go forward without including community input. Gordon asked how we get the public to stand up and say what they want. They might tell us to take a plunge. He asked how we engage the public to sit down and understand this stuff without dealing in emotions. He felt we could get the input from CAG.

Sandy said she thought we should be making recommendations to the public. She said that would generate conversation. Gordon said or controversy. George suggested we do so at the CAG meeting monthly. Gordon said we should then go to the Kiwanis, if they would have him. She said to Gordon, the public doesn't want to be overwhelmed with details of what you deal with. She said you need to put it in terms and a format the public can readily understand. She said the public needs to feel good that they know what's going on.

Jim said TAG speaks on behalf of TAG not the community. He said you have open meetings, the public just doesn't come. Jim said you do need to get the public involved so they have a say. He suggested an Open House on a subject on several related issues, invite the public and have them come.

Gordon said in reading the documents that he has found EPA at all times to be absolutely forthright. He said initially education was limited to TAG. Education should be expanded at least via the CAG. Gordon said we are working as hard as we can to come up to speed.

Wendy said she can provide examples of how to engage the public that other TAGS have been successful in doing. Wendy said she would bring this to the next TAG meeting.

Jerry said there is a group of well informed individuals but we need to reach out to the public in general and address them.

Clinton said we should put something in the newspaper of what TAG does. Clinton asked Gordon if the newspapers have ever interviewed him. Gordon said no. Gordon said he felt they weren't interested. Sandy said we have been in the Q&A about what we do.

Wendy said you don't have to rely on the papers; you can do your own newsletter. Gordon said he checked into the Western News and found out that for \$2,500 he could have 3 columns and that he could write articles for the paper like the health articles the CARD does. He said the Montanian would do the same for \$1700. George indicated that it would be an allowable expense. **Gordon said he would make the necessary arrangements tomorrow. Gordon said he also would have a news article ready for next week's paper, and was in a position to negotiate with Roger Morris tomorrow.** Mary made the motion and Sandy seconded, then the board voted for Gordon to proceed doing both papers to publish articles in the Western News and Montanian paying on a monthly basis. He was to make them understand they would be paid in arrears.

Jim asked Gordon what he was going to be writing about. Gordon said he would write about what TAG does then move on to Risk Assessment. **Gordon asked Mary and Sandy to help him by reviewing what he writes, he also requested an EPA review. Gordon said he and Mary would write it and then run it by Sandy for review. Sandy agreed to this.** Jerry said EPA could read, not for approval but for technical accuracy. It was agreed by all that this was the understanding.

Gordon promised to have a report on the Work Plan at the next Board meeting. He brought up that he would not be going to a conference in D.C. He said discussing the Risk Assessment in Denver with Aubrey he realized that he needed to get back on track, that it was the most important thing in front of him. Gordon said he also needs to get back on track discussing risk assessment with Brad Black and wanted approval to spend time

on this. Jerry said he would get together Gordon and figure out the time he needed.

Mary said we should approve time for Gordon to write the articles. Jerry and George acknowledged, yes. Jerry said let's see how much time it will take. Since it is the first time, we don't know how long it will be. He said it is worth it if what Gordon writes, makes a difference, in the public being able to understand. Gordon said he would proceed to write articles, pass them to Sandy and Mary for review, then on to Wendy.

Gordon said he just finished a release for the media on the wage issue and he was trying not to involve TAG. Gordon felt the TAG should take a stand on this issue. Others disagreed. Gordon said let's not crucify our project manager over this issue because our community is going to take a huge step backwards because of the consistency of this project. He said we won't know who might take his place.

D. ARD Net 2/28 & Hospital 4/3 Health Fairs – (Barb G.) – Discussion whether TAG should have a table. Decision was not at this time.

E. Toxilogical Profile – (Clinton Maynard) - tabled

F. Administrative Position – (George Keck) – George read Barb's resignation letter and asked that the Board act to replace her. Barb was asked to review the Grant Administrator job description revising and updating it as necessary.

G. Managing EPA Grants Video – (Barb Guthneck) – Video is 1 hour long and Board members should review to help them understand what an audit will be looking for. Barb indicated the procurement process was established before she came on board and now it has to be revisited in hiring her replacement. She recommended that those who are to be in the selection process go on line and study the procurement regulations, the EPA handbooks, the video to make sure things are done right.

VII. Review and agreement on Action Items generated from this meeting – Identified by bold print in above text.

VIII. Adjourn

CALCULATIONS AMOUNT OF MONEY FOR NEW GRANT ADMINISTRATOR

20% Admin to total of grant = \$12,500
(Total grant \$62,500 includes required match plus grant)

Spent in Admin through Jan = \$5648.00

Total Available in Admin allotted funds \$9,000 starting June 03

May be spent on Admin \$3,352.00 if current allotment amounts are allowed to stay

Could shift additional funds from Tech to Admin \$3,500 to reach 20% Admin to total grant.

Then could spend on Admin \$6852.00 but would have to take \$3,500 from Tech budget.

Will need \$2000 Insurance for July estimate (\$1,200 last year)

\$3352 Available

\$ 1352 as of now without contract administrator.

If spend est. \$2,000 for 9th of July on insurance leaves \$1352 for grant admin or 112 hrs

Need to write new grant and get oriented to files 60 hours April @ \$720, copies, mailing, file folders

Minutes – 3 ½ hours setting up and at meeting taking notes, getting key, gas, tape/recorder

1 ½ hours transcribing notes

3 hours re listening to tape, backing up and re-listening adding notes, getting to EPA

1 hour getting copies and making up folders (\$1 per person at board meeting f/copies)

Agenda 1 ½ hours setting and finalizing agenda, making copies and putting in folders

E-mailing 1 hour e-mailing board notifying of meeting, sending out agenda/board notes

Reports 12 hours doing monthly financial reports (pay for postage and copies gas to town)

Mail 4 hours per month (pay for gas to go bi-weekly to mail box)

Other 10 hours phone calls w/board members, Helena, researching manuals, internet f/ info, phone, filing, long distance calls, internet, software, office supplies & equipment.

37 hours minimum per month = \$444 = 1.4. months through mid June

Estimate of Monthly Costs to Grant Administrator – Transportation gas to go to town minimum bi-weekly (\$72), office space, utilities (\$5), Computer (\$10), compatible software (\$5), internet access (\$20), ink cartridges (\$13), copy machine or copies (\$18), paper (\$2), office equipment, supplies incl folders (\$10), envelopes (\$1), etc., postage (\$3.50), long distance calls (\$3), fax calls (\$2), tape recorder (\$3), tapes (\$1), Self employment Taxes f/37 hr (\$133) Total \$301.50 \$142.50 per month = \$3.85 per hour If you add snacks for board meetings \$25 – then expenses \$326 cost for GA then per hour is \$3.19 per hour

Job Title: Contract Grant Administrator, Libby Area Technical Assistance Group (LATAG)
Start Date: March 2003
Job Location: Lincoln County, Libby, Montana
Contact Info: Libby Area Technical Assistance Group – LATAG
P.O. Box 53
Libby, MT 59923

Hours: Varied from 5 to 40 hrs per month TBN/DOE \$10 - \$12 per hour
Period of time From 2 to 6 months starting approximately March 04. Contract may be extended if mutually agreeable, without renegotiation.

Requirements Experience in the following areas:

1. Working within a Board of Directors Guidelines
2. Knowledge of federal procurement system regulations
3. Knowledge of grant process (writing, procedures, guidelines, and reporting for compliance with federal regulations).
4. Ability to maintain bookkeeping and accounting system.
5. Have computer, internet connect and skills (i.e., Microsoft Word, Works, Spread sheets, graphing, data base) office supplies and equipment sufficient to fulfill contract

Special Requirements:

1. Knowledge of the community including past and current asbestos situation in the area.
2. Provide public information while maintaining a professional level of respect for, and confidentiality of, individual rights (a critical factor)
3. Above average communication skills which includes (but not limited to) the ability to remain open minded and neutral (unbiased).
4. Ability to maintain flexibility and versatility for multitasking.
5. Problem solving skills and skills for working with a diverse population in sometimes emotional situations. Ability to show empathy in a professional manner.
6. This is a contract. You must hold a contractor business license to do business in the City of

Libby if you get this contract. This is not an employee/employer relationship with LATAG. Libby Area Technical Assistance Group, Inc. is a non-profit organization which has been established for the express purpose of ensuring satisfactory EPA (NPL) Libby Superfund cleanup (through community involvement and participation). The position is responsible directly to the LATAG Board. The board's objective is to provide involvement and participation by way of community review, comment and recommendation as provided for during the course of EPA Superfund cleanup.

Duties jointly accomplished with LATAG Board:

1. maintain a financial management system.
2. Keep accurate record of contracts, expenses, in kind contributions, payroll and taxes.
3. Arrange for internal and external audits.
4. Prepare and submit tax forms.
5. Submit Federal reports in a timely manner to insure compliance with financial regulations.
6. Maintain records of all financial transactions such as canceled checks, invoices and required forms.
7. Analyze expenditures, revenue and work progress of contracts.
8. Maintain records of all correspondence and community involvement such as meetings, brochures, and newsletters.
9. Provide public presentations and participation in public groups.
10. Develop public information formats (web sites, flyers, newspaper articles, radio and TV presentations and public opinion polls).
11. Provide liaison with community and with appropriate government organizations.